

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): James Keddie et al.

Application No.: Unassigned

Filed: Herewith

Title: Genes for Modifying Plant Traits

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
37 C.F.R. § 1.9(d) AND 1.27(c) - SMALL BUSINESS CONCERN

I hereby declare that I am an official of the small business concern empowered to act on behalf of the concern identified below.

Name: Mendel Biotechnology, Inc.

Address: 21375 Cabot Boulevard, Hayward, California 94545

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.12, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35 U.S.C. in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention.

entitled: Genes for Modifying Plant Traits

described in the Specification filed herewith

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. § 1.9(d) or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

☐ Individual ☒ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 C.F.R. § 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Karen guerrero

Title of Person Signing: Vice-President, Intellectual Property

Address of Person Signing: 21375 Cabot Boulevard, Hayward, California 94545

Signature:

Karen Guerrero

Date:

Nov 16, 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT APPLICATION OF

James Keddie et al.

Examiner: Unknown

Group Art Unit: Unknown

Application No. Unassigned

Filing Date: Herewith

Title: Genes for Modifying Plant Traits

POWER OF ATTORNEY BY ASSIGNEE
TO EXCLUSION OF INVENTOR UNDER 37 C.F.R. § 3.71

Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

The undersigned ASSIGNEE having an interest in the above-identified application for letters patent hereby appoints Karen J. Guerrero, Reg. No. 37,071 to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith and hereby revokes all prior powers of attorney; said appointment to be to the exclusion of the inventors and the inventors' attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

The following evidentiary documents establish a chain of title from the original owner to the Assignee:

X a copy of an Assignment attached hereto, which Assignment has been (or is herewith) forwarded to the Patent and Trademark Office for recording; or

- the Assignment recorded on _____ at reel __, frames __ - __.

Pursuant to 37 C.F.R. § 3.73(b) the undersigned Assignee hereby states that evidentiary documents have been reviewed and hereby certifies that, to the best of ASSIGNEE's knowledge and belief, title is in the identified ASSIGNEE.

Direct all telephone calls to Karen J. Guerrero (510) 264-0280 ext. 125.

Address all correspondence to:

Karen J. Guerrero
MENDEL BIOTECHNOLOGY, INC.
21375 Cabot Boulevard
Hayward, California 94545

ASSIGNEE: Mendel Biotechnology, Inc.

Name: *-Karen Guerrero*
Name: Karen Guerrero

Title: Vice-President, Intellectual Property

Date: *Nov 16, 2000*